

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 4:11-CR-59-H1  
No. 4:15-CV-131-H

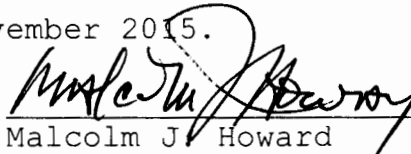
TERRANCE LEVON JONES, )  
Petitioner, )  
 )  
v. )  
 )  
UNITED STATES OF AMERICA, )  
Respondent. )

**ORDER**

This matter is before the court on defendant's motion to vacate or set aside his sentence pursuant to 28 U.S.C. § 2255, [D.E. #80]. Because petitioner's motion is a successive § 2255 motion, this court is without jurisdiction to consider it. See 28 U.S.C. § 2255(h). Accordingly, petitioner's motion to vacate is DISMISSED WITHOUT PREJUDICE to his right to apply to the Fourth Circuit for leave to file a successive § 2255 motion.

Petitioner's motion is dismissed without prejudice to his right to apply to the Fourth Circuit for leave; therefore, this order does not raise a substantial issue for appeal concerning the denial of a constitutional right. Accordingly, a certificate of appealability is not issued as to this order.

This 10<sup>th</sup> day of November 2015.

  
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Malcolm J. Howard  
Senior United States District Judge

At Greenville, NC  
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